

~~MEMO ENDORSED~~

Federal Defenders OF NEW YORK, INC.

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October 3, 2023

By ECF

Honorable Andrew L. Carter
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

USDC SDNY
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**Re: United States v. Romer Rosario
23 Cr. 470 (ALC)**

Dear Judge Carter,

I write to respectfully request two modifications to Mr. Rosario's bail package.

First, we ask that the Court order that Mr. Rosario's curfew be enforced by location monitoring, with the technology to be selected at the discretion of Pretrial Services. Pretrial Services Officer Marlon Ovalles recommended this modification and the government, by Assistant United States Attorney Katherine Cheng, does not object.

At presentment, Magistrate Judge Cave endorsed the requested condition, but also specified that GPS should be used "if possible." See Dkt. No. 6. Because it is technically "possible," Pretrial Services believes the bond directs them to use GPS. However, Pretrial informed undersigned counsel they believe that another technology (radio frequency) is better suited for Mr. Rosario at this time. Pretrial will not change the bracelet unless the instant modification (i.e. confirming they have discretion) is endorsed. The radio frequency bracelet will improve Mr. Rosario's ability to work because it is far less cumbersome; the GPS bracelet is bulkier, has a speaker, and requires frequent charging.

Second, we ask that the Court extend Mr. Rosario's travel conditions to include the District of New Jersey. This condition would enable Mr. Rosario to work alongside a family member who makes deliveries in both New York City and New Jersey. Officer Ovalles and A.U.S.A. Cheng both have no objection to this modification.

Thank you for your consideration of both requests.

Respectfully submitted,
/s/
Sylvie Levine
Assistant Federal Defender
917-612-4527

The entire application is **GRANTED**.
So Ordered.


10/4/23